

Form PTO-1449 U.S. Department of Commerce  (REV. 8-83) Patent and Trademark Office  INFORMATION DISCLOSURE CITATION (use several sheets if necessary)  <div style="font-size: 2em; font-weight: bold; text-align: center;">COPY</div>	Atty. Docket No. ENZ-7(P)(C3)	Serial No. 08/486,070
	Applicants: Jannis Stavrianopoulos et al.	
	Filed: June 7, 1995	Group: 1631

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPRO- PRIATE

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN- SLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Mage M.G. et al, <u>Journal of Immunological Methods</u> 15:47-56 (1977)
	Wysocki L.J. and Sato, V.L., <u>Proc.Natl.Acad.Sci (USA)</u> 75(6):2844-2848 (June 1978)
	Landreth K.S. et al., <u>roc.Natl.Acad.Sci (USA)</u> 79:2370-2374 (1982)
	Bunemann H. et al., <u>Nucleic Acids Research</u> 10(22):7163-7180 (1982)
	Bunemann H., <u>Nucleic Acids Research</u> 10(22):7181-7196 (1982)
EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Form PTO-1449 U.S. Department of Commerce  (REV. 8-83) Patent and Trademark Office  INFORMATION DISCLOSURE CITATION (use several sheets if necessary)	Atty. Docket No. ENZ-7(P)(C3)	Serial No. 08/486,070
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## FOREIGN PATENT DOCUMENTS

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Beltz G.A. et al., <u>Methods in Enzymology</u> 100:266-285 (1983)
	Kafatos F.C et al., <u>Nucleic Acids Research</u> 7(6):1541-1552 (1979)
	Masiakowski P. et al., <u>Nucleic Acids Research</u> 10(24):7895-7903 (1982)
	Sim G.K. et al., <u>Cell</u> 18:1303-1316 (1979)
	Frank R. et al., <u>Nucleic Acids Research</u> 11(13):4365-4377 (1983)
	Calva E. et al., <u>The Journal of Biological Chemistry</u> 255(22):11011-11016 (1980)

EXAMINER	DATE CONSIDERED
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Form PTO-1449 U.S. Department of Commerce  (REV. 8-83) Patent and Trademark Office  INFORMATION DISCLOSURE CITATION (use several sheets if necessary)	Atty. Docket No. ENZ-7 (P)(C3)	Serial No. 08/486,870
	Applicants: Jannis Stavrianopoulos et al.	
	Filed: June 7, 1995	Group: 1631

## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANS- LATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Wengler G. et al., <u>Virology</u> 78:124-134 (1977)
	Coffin J.M. et al., <u>Cell</u> 13:761-773 (1978)
	Manning J.E. et al., <u>Chromosoma</u> (Berl.) 53:107-117 (1975)
	Manning J. et al., <u>Biochemistry</u> 16(7):1364-1370 (1977)

EXAMINER	DATE CONSIDERED
----------	-----------------

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**U.S. PAT. NO. 7,064,197**  
**(USSN 08/486,070)**

**EXHIBIT 5 TO**  
**AUGUST 10, 2007**  
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**MISSING F/W ITEM NO. 5**

**JULY 30, 2002 SECOND**  
**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE**  
**STATEMENT UNDER**  
**37 CFR §§ 1.56 & 1.97-1.98**  
**(WITH EXHIBITS 1-28)**

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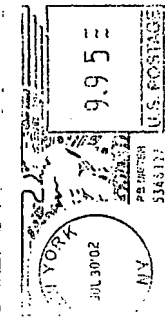
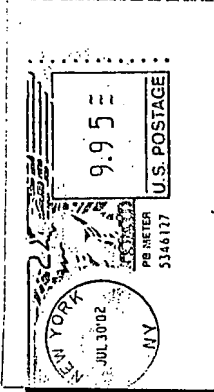
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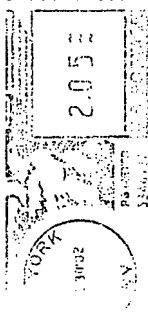
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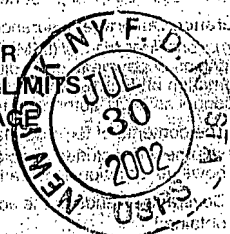
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jannis Stavrianopoulos et al.

Serial No. 08/486,070

Group Art Unit: 1631

Filed: June 7, 1995

Examiner: Ardin H. Marschel, Ph.D.

Title: ARRAYS AND SYSTEMS COMPRISING ARRAYS FOR GENETIC ANALYSES  
AND OTHER APPLICATIONS (As Previously Amended)

**TRANSMITTAL**  
**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

DIRECTOR OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Second Supplemental Information Disclosure Statement which is being filed in accordance with 37 C.F.R. §§ 1.56 and 1.97-1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

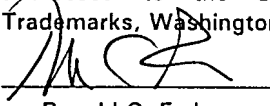
1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed.
2. ☐ For each of the following items listed on the enclosed copy of form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. § 1.60, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

Jannis Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 2 [Transmittal -- Second Supplemental Information Disclosure Statement  
-- July 30, 2002]

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	July 30 2002
Ronald C. Fedus	Date
Reg. Exhibit 32,567	

Jannis Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 3 [Transmittal -- Second Supplemental Information Disclosure Statement  
-- July 30, 2002]

4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in 1.491 in an international application.

☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. 1.97(e) set forth in paragraph 9 below.

6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☐ A check in the amount of \$240.00 is enclosed in payment of the fee.

☐ Charge the fee to Deposit Account No. 05-1135, Order No. ENZ-7(P)(C3). A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

a. one of the certification pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and

b. the attached petition requesting consideration of this Information Disclosure Statement; and

Jannis Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 4 [Transmittal -- Second Supplemental Information Disclosure Statement  
-- July 30, 2002]

- c. ☐ the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
- 8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
  - a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
  - b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
  - c. ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
- 9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
  - ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- 10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
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Jannis Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

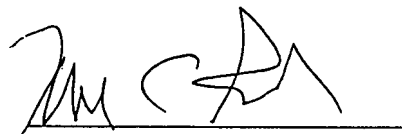
Page 5 [Transmittal -- Second Supplemental Information Disclosure Statement  
-- July 30, 2002]

[x] The Commissioner is hereby authorized to charge any additional fees which may be required for this Second Supplemental Information Disclosure Statement, or credit any overpayment to Deposit Account No. 05-1135.  
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Dated: July 30, 2002

By:



RONALD C. FEDUS

Registration No.: 32,567

Mailing Address:

ENZO LIFE SCIENCES, INC.  
c/o Enzo Biochem, Inc.  
292 Madison Avenue, 9<sup>th</sup> Floor  
New York, New York 10022  
Telephone: (212) 583-0100  
Telefax: (212) 583-0150

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	Stavrianopoulos et al.	)	
Serial No.:	08/486,070	)	Group Art Unit: 1631
Filed:	June 7, 1995	)	Ex'r: Ardin H. Marschel, Ph.D.
For:	ARRAYS AND SYSTEMS COMPRISING	)	
	ARRAYS FOR GENETIC ANALYSES AND	)	
	OTHER APPLICATIONS	)	
	(As Previously Amended)	)	

527 Madison Avenue, 9<sup>th</sup> Floor  
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July 30, 2002

**FILED VIA EXPRESS MAIL**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56 & 1.97-1.98**

Dear Sirs:

Pursuant to the provisions of 37 C.F.R. §§ 1.97-1.98, and in full compliance with their duty of disclosure under 37 C.F.R. § 1.56, Applicants are filing this Second Supplemental Information Disclosure Statement. This paper follows Applicants' June 28, 2002 Supplemental Information Disclosure Statement Under 37 C.F.R. §§ 1.56 & 1.97-1.98. In submitting this paper, Applicants, through their attorney, are bringing the following twenty-seven (27) documents to the attention of the U.S. Patent and Trademark Office and the Examiner handling their above-identified application:

Jannis Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 2 [Second Supplemental Information Disclosure Statement  
-- July 30, 2002]

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Ronald C. Fedus

Reg. Exhibit 32,567

July 30 2002  
Date



Jannis Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 3 [Second Supplemental Information Disclosure Statement  
-- July 30, 2002]

1. Mundy, U.S. Patent No. 4,656,127 issued April 7, 1987 [EXHIBIT 1];
2. Maxam, A.M. and Gilbert, W., "Sequencing End-Labeled DNA with Base-Specific Chemical Cleavages," Methods in Enzymology 65:499-560 (1980) [EXHIBIT 2];
3. Sanger, F. et al., "DNA Sequenceing with chain-terminating inhibitors," Proc. Natl. Acad. Sci. (USA) 74(12):5463-5467 (1977) [EXHIBIT 3];
4. Barzynski et al., U.S. Patent No. 3,849,137, issued November 19, 1974 [EXHIBIT 4];
5. Pazos, U.S. Patent No. 4,269,933, issued May 26, 1981 [EXHIBIT 5];
6. Fusek, U.S. Patent No. 4,516,833, issued May 14, 1985 [EXHIBIT 6];
7. Urdea et al., U.S. Patent No. 4,517,338, issued May 14, 1985 [EXHIBIT 7];
8. Elings et al., U.S. Patent No. 4,537,861, issued August 27, 1985 [EXHIBIT 8];
9. Lowe et al., U.S. Patent No. 4,562,157, issued December 31, 1985 [EXHIBIT 9];
10. Dattagupta et al., U.S. Patent No. 4,713,326, issued December 15, 1987 [EXHIBIT 10];
11. Guire, U.S. Patent No. 4,973,493, issued November 27, 1990 [EXHIBIT 11];
12. Eian et al., European Patent Application Publication No. EP 0 046 083, filed August 10, 1981 [EXHIBIT 12];
13. Dueber et al., European Patent Application Publication No. EP 0 103 197, filed August 16, 1983 [EXHIBIT 13];
14. Geysen, H. M., International PCT Patent Application Publication No. WO 84/03564, filed March 8, 1984 [EXHIBIT 14];

15. Amit B. et al., "Photosensitive Protecting Groups of Amino Sugars and Their Use in Glycoside Synthesis. 2-Nitrobenzyloxycarbonylamino and 6-Nitroveratryloxycarbonylamino Derivatives," Journal of Organic Chemistry 39(2):192-196 (1974) [EXHIBIT 15];
16. Amit B. et al., "Photosensitive Protecting Groups - A Review," Israel Journal of Chemistry 12(1-2):103-113 (1974) [EXHIBIT 16];
17. Barltrop J.A. et al., "Photosensitive Protective Groups," Chemical Communications 22:822-823 (1966) [EXHIBIT 17];
18. Flanders D.C. and Smith, H.I., "A new interferometric alignment technique," Applied Physics Letters 31(7):426-428 (1977) [EXHIBIT 18];
19. Krile T.F. et al., "Multiple holography with chirp-modulated binary phase-coded reference-beam masks," Applied Optics 18(1):52-56 (1979) [EXHIBIT 19];
20. Ohtsuka E. et al., "Studies on transfer ribonucleic acids and related compounds. IX<sup>(1)</sup> Ribooligonucleotide synthesis using a photosensitive o-nitrobenzyl protection at the 2'-hydroxyl group," Nucleic Acids Research 1(10):1351-1357 (1974) [EXHIBIT 20];
21. Patchornik A. and Amit B., "Photosensitive Protecting Groups," Journal of the American Chemical Society 92:6333-6335 (1970) [EXHIBIT 21];
22. Pillai V.N.R. et al., "3-Nitro-4-Aminomethylbenzoyl derivative von Polyethylenglykolen: Eine neue Klasse von Photo-sensitiven loslichen Polymeren Trägern zur Synthese von C-terminalen Peptidamiden," Tetrahedron Letters 36:3409-3412 (1979) [Please note that this article is written in German] [EXHIBIT 22];
23. Pillai V.N.R., "Photoremovable Protecting Groups in Organic Synthesis," Synthesis (International Journal of Methods in Synthetic Organic Chemistry), Schill, G. et al., eds., Georg Thieme Verlag publishers, Stuttgart and New York, pages 1-26, published 1980. [EXHIBIT 23];
24. Zehavi U. et al., Light-Sensitive Glycosides. I. 6-Nitroveratryl Beta-D-Glucopyranoside and 2-Nitrobenzyl Beta-D-Glucopyranoside," Journal of Organic Chemistry 37(14):2281-2285 (1972) [EXHIBIT 24];

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Filed: June 7, 1995

Page 5 [Second Supplemental Information Disclosure Statement  
-- July 30, 2002]

25. Dattagupta et al., U.S. Patent No. 4,542,102, issued September 17, 1985 [EXHIBIT 25];
26. Frank et al., U.S. Patent No. 4,689,405, issued August 25, 1987 [EXHIBIT 26]; and
27. Seed B., "Diazotizable arylamine cellulose papers for the coupling and hybridization of nucleic acids," Nucleic Acids Research 10(5):1799-1810 (1982) [EXHIBIT 27].

A completed Form PTO-1449 listing the 27 above-submitted documents is also attached hereto as Exhibit 28.

The above-listed documents came to the attention of Applicants' attorney while reviewing several U.S. patents. The first three documents (Nos. 1-3, Exhibits 1-3) were cited in Chee et al., U.S. Patent No. 5,837,832, issued on November 17, 1998. The next 21 documents (Nos. 4-24, Exhibits 4-24) were cited in Fodor et al., U.S. Patent No. 5,744,305, issued on April 28, 1998. The last three documents (Nos. 25-27, Exhibits 25-27) were cited in Fodor et al., U.S. Patent No. 5,800,992, issued on September 1, 1998.

By this voluntary citation of art, Applicants and their attorney are requesting that the documents be made of record in the present application.

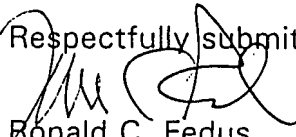
The above citation of documents is not a representation that these documents constitute a complete or exhaustive listing, nor that the above listing necessarily includes the closest or most relevant documents, nor are these documents necessarily a complete listing of all documents known to Applicants or their attorney. It is simply a voluntary citation of documents made in good faith, which is not intended to serve in any way as a substitute for the Examiner's own search.

In view of the general and specific features described and claimed in the present application, Applicants respectfully submit that the present invention is neither disclosed nor suggested by the documents referred to above and is thus

patentably distinct thereover. Furthermore, Applicants do not believe, and do not submit, by the citation of these references, that these documents, either by themselves or in combination with other documents, render the invention *prima facie* obvious under the duty of disclosure rules.

Applicants respectfully request that the Examiner make the above-submitted documents of record in the instant application. Applicants further request that the Examiner consider these documents as any of them may relate to the instant application.

The fee under 37 C.F.R. §1.17(p) for filing this Second Supplemental Information Disclosure Statement is \$180.00. The Patent and Trademark Office is hereby authorized to charge the amount of this fee (and any other fees in connection with this IDS) to Deposit Account No. 05-1135, or to credit any overpayment thereto.

Respectfully submitted,  
  
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	Applicants: Jannis Stavrianopoulos et al.	
	Filed: June 7, 1995	Group: 1631

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPRO- PRIATE
	4 6 5 6 1 2 7	4/7/87	Mundy			
	3 8 4 9 1 3 7	11/19/74	Barzynski			
	4 2 6 9 9 3 3	5/26/81	Pazos			
	4 5 1 6 8 3 3	5/14/85	Fusek			
	4 5 1 7 3 3 8	5/14/85	Urdea			
	4 5 3 7 8 6 1	8/27/85	Elings			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANS- LATION YES NO
	0 0 4 6 0 8 3		EP			
	0 1 0 3 1 9 7		EP			
W O	8 4 0 3 5 6 4		PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Maxam, A.M. and Gilbert, W., <u>Methods in Enzymology</u> 65:499-560 (1980)
	Sanger, F. et al., <u>Proc. Natl. Acad. Sci (USA)</u> 74(12):5463-5467 (1977)
	Amit B. et al., <u>Journal of Organic Chemistry</u> 39(2):192-196 (1974)
	Amit B. et al., <u>Israel Journal of Chemistry</u> 12(1-2):103-113 (1974)
	Barltrop J.A. et al., <u>Chemical Communications</u> 22:822-823 (1966)

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce  (REV. 8-83) Patent and Trademark Office  INFORMATION DISCLOSURE CITATION (use several sheets if necessary)	Atty. Docket No. ENZ-7(P)(C3)	Serial No. 08/486,070
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	4 5 6 2 1 5 7	12/31/85	Lowe			
	4 7 1 3 3 2 6	12/15/87	Dattagupta			
	4 9 7 3 4 9 3	11/27/90	Guire			
	4 5 4 2 1 0 2	9/17/85	Dattagupta			
	4 6 8 9 4 0 5	8.25.87	Frank			

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN- SLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Flanders D.C. and Smith, H.I., <u>Applied Physics Letters</u> 31(7):426-428 (1977)
	Krile T.F. et al., <u>Applied Optics</u> 18(1):52-56 (1979)
	Ohtsuka E. et al., <u>Nucleic Acids Research</u> 1(10):1351-1357 (1974)
	Patchornik A. and Amit B., <u>Journal of the American Chemical Society</u> 92:6333-6335 (1970)
	Pillai V.N.R. et al., <u>Tetrahedron Letters</u> 36:3409-3412 (1979)
	Pillai V.N.R., <u>Synthesis</u> (International Journal of Methods in Synthetic Organic Chemistry Chemistry), Schill, G. et al., eds., Georg Thieme Verlag publishers, Stuttgart and New York, pages 1-26, published 1980
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